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March 2, 2011

VIA ELECTRONIC FILING

Hon. Arlene R. Lindsay
U. S. District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Next Millennium Realty, LLC et al. v. Adchem Corp., et al., 03-05985

Dear Judge Lindsay:

I represent Next Millennium Realty, LLC, and 101 Frost Street Associates, L.P. as plaintiffs' counsel in the above-referenced matter ("Cost Recovery Action"). This matter was previously assigned to Magistrate Judge Michael L. Orenstein. It is my understanding that the matter has been referred to you. I am writing to respectfully request that a discovery conference be scheduled for this matter.

The Cost Recovery Action was joined with an action brought by the State of New York under Index No. 06-1133 ("State Action"). By Report and Recommendation dated September 24, 2010, Magistrate Judge Orenstein decided that the State Action should be dismissed in its entirety ("Report"). The State filed an Objection to the Report which is currently pending before Judge Sandra J. Feuerstein. Also pending before Judge Feuerstein is a motion to sever the two actions, which may become moot if the Judge Feuerstein adopts the Report.

Whether or not Judge Feuerstein adopts the Report, the Cost Recovery Action will go forward. It is respectfully requested that a discovery conference in the Cost Recovery Action be scheduled. The Cost Recovery Action arises from activities dating back to the 1970-1980 timeframe. Witnesses and principals of the parties are aging and dying. Continued delays in discovery may prejudice my client's ability to prosecute their claims.

Judge Lindsay Letter
March 2, 2011
Page 2

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kevin Maldonado", written over a horizontal line.

KEVIN MALDONADO

cc: All counsel via ECF